

Entered -03-27-01 - sb  
CL 00L0190 - GWENDOLYN BURNS

01- R-1067

CLAIM OF:

MARY ALICE COOPER  
379 Milledge Avenue, SE  
Atlanta, Georgia 30312

For property damages alleged to have been sustained from a sewer  
back up on February 16, 2001 at 379 Milledge Avenue, SE.

THIS ADVERSED REPORT IS  
APPROVED

BY: Rosalind Rubens Newell  
ROSALIND RUBENS NEWELL  
DEPUTY CITY ATTORNEY *Rosen, C. J. DCA*

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0190

Date: June 29, 2001

Claimant /Victim MARY ALICE COOPER  
BY: (Atty) (Ins. Co.) \_\_\_\_\_  
Address: 379 Milledge Avenue, SE, Atlanta, Georgia 30312  
Subrogation: \_\_\_\_\_ Claim for Property damage \$ 1,254.00 Bodily Injury \$ unspecified  
Date of Notice: 3/26/01 Method: Written, Proper X Improper \_\_\_\_\_  
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X  
Date of Occurrence 2/16/01 Place: 379 Milledge Avenue, SE  
Department PUBLIC WORKS Division Sewer  
Employee involved \_\_\_\_\_ Disciplinary Action: \_\_\_\_\_

NATURE OF CLAIM: Claimant alleges that she sustained property damages from a sewer back up. An investigation determined that a subcontractor of Atlanta Gas Light Company damaged the service connection of the main line in a previous gas line installation project. The claimant has been informed of this and her claim has been forwarded to the utility company for immediate resolution.

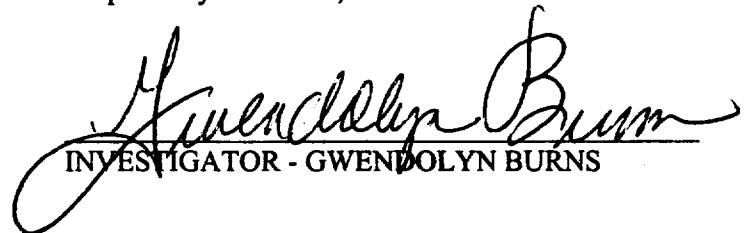
INVESTIGATION:

Statements: City employee \_\_\_\_\_ Claimant \_\_\_\_\_ Others X Written \_\_\_\_\_ Oral \_\_\_\_\_  
Pictures \_\_\_\_\_ Diagrams \_\_\_\_\_ Reports: Police \_\_\_\_\_ Dept Report \_\_\_\_\_ Other X  
Traffic citations issued: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_  
Citation disposition: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

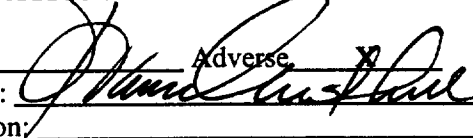
BASIS OF RECOMMENDATION:

Function: Governmental \_\_\_\_\_ Ministerial \_\_\_\_\_  
Improper Notice \_\_\_\_\_ More than Six Months \_\_\_\_\_ Other X Damages reasonable \_\_\_\_\_  
City not involved X Offer rejected \_\_\_\_\_ Compromise settlement \_\_\_\_\_  
Repair/replacement by Ins. Co. \_\_\_\_\_ Repair/replacement by City Forces \_\_\_\_\_  
Claimant Negligent \_\_\_\_\_ City Negligent \_\_\_\_\_ Joint \_\_\_\_\_ Claim Abandoned \_\_\_\_\_

Respectfully submitted,

  
INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ \_\_\_\_\_ Adverse X Account charged: 1A01 \_\_\_\_\_ 2J01 \_\_\_\_\_ 2H01 \_\_\_\_\_  
Claims Manager:  Concur/date 06-28-01  
Committee Action: \_\_\_\_\_ Council Action \_\_\_\_\_

RECEIVED MAR 23 2001

BURNS

03/24/01

COUNCIL OF THE CITY OF ATLANTA  
MUNICIPAL CLERK  
City Hall  
55 Trinity Avenue, S.W.  
Atlanta, Georgia 30335

RE: CLAIM FOR DAMAGES

Today's Date: 3/21/00

ENTERED - 3-27-01 - SB  
01L0190 - GWEN BURNS

Dear Municipal Clerk:

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ 1,254 property and/or \$ \_\_\_\_\_ bodily injury for which I contend the City is liable.

1. Date of incident: Month of Feb + March 2001 (receipts attached)  
(month/day/year)
2. Time of Incident: \_\_\_\_\_
3. Police called: \_\_\_\_\_ Yes No
4. Location of incident (including street address): plumbing / sewer back-up  
379 Mulledge Avenue SE.
5. Name of your insurance company: Atlanta Ga 30312  
(404) 577-7084 Policy No. \_\_\_\_\_
6. State what and how incident occurred: \_\_\_\_\_

7. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!

8. The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of repair and proof of ownership of your vehicle (copy of the current tag receipt or title).

Your vehicle: \_\_\_\_\_  
(Make) (Year) (Tag Number) (Driver's Name)

City vehicle: \_\_\_\_\_  
(Make) (City Driver's Name) (Department/Bureau)

9. Witness: \_\_\_\_\_  
(Name) (Address) (Telephone Number)

10. The acknowledgment of this claim in no way waives the Sovereign immunity of the City of Atlanta, as granted by State law, nor is it an admission of liability on behalf of the City of Atlanta and/or its employee(s).

11. This claim should be mailed immediately to the address shown above.

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND CORRECT.

Mary Alice Cooper  
Signature of Claimant

Mary Alice Cooper  
(Print Claimant's Name)

379 Mulledge Avenue SE  
(Address)

Atlanta, Ga 30312  
(City, State and Zip Code)

404-5778-3468 404-577-7084  
(Work Number) (Home Number)

Mary Alice Cooper  
379 Milledge Avenue, S.E.  
Atlanta, Georgia 30312  
(404) 577-7084

City of Atlanta  
Department of Law  
68 Mitchell Street, S.W.  
Suite 400  
City Hall Tower  
Atlanta, Georgia 30335-0332

Enclosed you will find bills totalling \$1,254 covering plumbing services to respond to raw sewage backup across half my basement floor. After we could find no source in our lines, it was discovered by City evaluation that there was a broken and obstructing connection at the main sewer line. I am therefore forwarding these bills for reimbursement. The problem was at the City line, not mine.

Please let me know if you have any questions. Please send me notice that you have received this letter and an approximate time to expect reimbursement. Thank you.

  
Mary Alice Cooper  
Homeowner

PS you will notice  
the Plumb Works  
indicate wrong  
name on receipt.  
Check with them  
if you wish for  
verification.  
I have called  
them re: this  
error.

01- p-1067

mc